

ZONING CHANGE REVIEW SHEET**CASE:** C14-2007-0011 Lamar & Manchaca VMU**PC Date:** April 10, 2007**ADDRESS:** 2901 Manchaca**AREA:** 6.396 acres**OWNER/APPLICANT:** JBS Holding LP (Krause Winston)**AGENT:** Drenner, & Golden Stuart Wolff, SSP (Michele Rogerson)**ZONING FROM:** CS **ZONING TO:** CS-CO (allowing the use of Vertical Mixed Use)**STAFF RECOMMENDATION:**

Staff recommends approval of general commercial services-conditional overlay (CS-CO) combining district zoning. The conditional overlay would allow the use of Vertical Mixed Use options.

PLANNING COMMISSION RECOMMENDATION:**April 10, 2007:****DEPARTMENT COMMENTS:**

The owner of this property has asked to exercise provisions of the Vertical Mixed Use (VMU) ordinance to allow for early opt-in/opt-out determination. The applicant has requested that these properties be opted in to the VMU district. Compliance with the VMU ordinance would be verified as part of the Site Plan approval process.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Day care, offices, warehouses, auto repair
<i>North</i>	CS	Self storage
<i>South</i>	LR-MU, MF-2	Mixed commercial and apartments
<i>East</i>	CS and MF-2	Single Family homes and church
<i>West</i>	GR and CS-1	Goodwill, convenience store,

AREA STUDY: The property is within the South Lamar Neighborhood Planning Area which began meeting in the Fall of 2005.

TIA: A traffic impact analysis is not require for VMU determination

WATERSHED: Barton and West Bouldin Creeks

DESIRED DEVELOPMENT ZONE: Partially

CAPITOL VIEW CORRIDOR: No**HILL COUNTRY ROADWAY:** No**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

- South Lamar Neighborhood Association
- South Central Coalition
- Austin Neighborhoods Council
- Barton Springs/Edwards Aquifer Conservation District
- Austin Independent School District

SCHOOLS: (AISD)

Zilker Elementary School

O. Henry Middle School

Austin High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification
S. Lamar Blvd	135'	58'	Major Arterial
Manchaca Rd	75'	42'	Major Arterial
Lightsey Rd	90'	42'	Collector

CITY COUNCIL DATE:**ACTION:****ORDINANCE READINGS:**1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Robert Heile-mail address: robert.heil@ci.austin.tx.us**PHONE:** 974-2330



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: R. HEIL

ZONING

CASE #: C14-2007-0011

ADDRESS: 2901 MANCHACA RD

SUBJECT AREA (acres): 6.396

DATE: 07-03

INTLS: SM

**CITY GRID
REFERENCE
NUMBER**

G20

CP77-020

29.5 U/A

MF-2

C14-2007-0011
2901 Manchaca Rd
Vertical Mixed Use Determination



SUMMARY STAFF RECOMMENDATION

Staff recommends approval of general commercial services-conditional overlay (CS-CO) combining district zoning. The conditional overlay would allow the use of Vertical Mixed Use options.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The use of the Vertical Mixed Use options would be appropriate at this site, providing mixed use, and increased residential infill in the urban core along a major transit corridor with good mass transit routes.

Transportation

- TR1. No additional right-of-way is required at this time.
- TR2. The trip generation under the current zoning is estimated to be 25,461 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification of CS (without consideration of setbacks, environmental constraints, or other site characteristics).
- TR3. Since this is an application for a Vertical Mixed Use (VMU) Opt-in/Opt-out process under Chapter 25-2, Subchapter E, Section 4.3.5, the TIA requirement has been deferred till the time of site plan application.
- TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification
S. Lamar Blvd	135'	58'	Major Arterial
Manchaca Rd	75'	42'	Major Arterial
Lightsey Rd	90'	42'	Collector

- TR5. There are existing sidewalks along Lamar Blvd.
- TR6. Manchaca Road is classified in the Bicycle Plan as a "Low Use" bike route.
- TR7. Capital Metro bus service is available along Lamar Blvd and Manchaca Rd.

Environmental

1. A portion of this site is located over the Edwards Aquifer Recharge Zone. The site is located in both the West Bouldin Creek and Barton Creek Watersheds of the Colorado River Basin, which are classified as Urban and Barton Springs Watersheds, respectively, by Chapter 25-8 of the City's Land Development Code. It is in both the Drinking Water

Protection Zone and Desired Development Zone, according to the watershed. A topographical and / or geological analysis of this site is recommended to determine the exact boundaries of the watersheds.

2. According to flood plain maps, there is no flood plain within the project area.
3. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Barton Springs Watershed

5. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge zone.
6. Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

Urban Watershed

7. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
8. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Site Plan

- SP 1. There is a site plan for a Telecommunication Tower (SP-01-0444CS) within this site.
- SP 2. This tract is already developed and the proposed zoning change is a footprint within the existing development.
- SP 3. Site plans will be required for any new development other than single-family or duplex residential.

- SP 4. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP 5. The site is subject to compatibility standards. Along the West property line, the following standards apply:
- SP 6. Additional design regulations will be enforced at the time a site plan is submitted, including Commercial Design Standards.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 25-2, SUBCHAPTER E, SECTION 4.3 OF THE CITY CODE RELATING TO VERTICAL MIXED USE BUILDINGS; AND ESTABLISHING REGULATIONS RELATING TO EARLY OPT-IN/OPT-OUT DETERMINATIONS FOR VERTICAL MIXED USE BUILDINGS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 25-2, Subchapter E, Section 4.3.2 (*Where Allowed*) of the City Code is amended to amend Subsection A and add new Subsection C to read as follows:

A. A VMU building is allowed in the following zoning districts:

1. Mixed use (MU) combining district; and
2. Vertical mixed use (VMU) overlay district, subject to the limitations of Section 4.3.2.C.

C. This subsection applies to property in a VMU overlay district that is used exclusively for residential use and that is not designated as a MU combining district. A VMU building is allowed only:

1. through the opt-in process described in Section 4.3.5.C.5; or
2. through the conditional use permit process.

PART 2. Chapter 25-2, Subchapter E, Subsection 4.3.5.C (*Types of Opt-in/Opt-out Applications*) of the City Code is amended to add new Paragraphs 5 and 6 to read as follows:

5. VMU Overlay District: Residential Opt-in

A neighborhood that desires to allow VMU buildings within its boundaries on property in a VMU overlay district that is used exclusively for residential use and that is not designated as a MU combining district may submit an application to allow the development. The application shall specify the properties on which the neighborhood wishes to allow VMU buildings, whether ground-floor commercial listed in Section 4.3.3.C.2 should be allowed, and whether the dimensional and parking standards of Section 4.3.3.E.2 and 3 should apply.

6. Removal from the VMU Overlay District

A neighborhood may request that the Council amend the boundaries of the VMU overlay district to remove a property from the overlay district.

PART 3. This part establishes the regulations for early opt-in/opt-out determinations.

- (A) A person may, in accordance with this part, request that the council make the determination required under Chapter 25-2, Subchapter E, Section 4.3.5 (*Individual Neighborhood Consideration of VMU Requirements ("Opt-in/Opt-out Process")*) of the City Code before the completion of the opt-in/opt-out process described in that section.
- (B) The council may adopt an opt-in/opt-out determination by zoning or rezoning the applicable property after planning commission review.
- (C) A person may request an early determination only if the person has filed:
 - (1) development assessment site plan pre-application for a proposed VMU building; or
 - (2) an application for an approval of a zoning change, site plan, or building permit for a proposed VMU building.
- (D) To request an early determination, a person must:
 - (1) file an application for zoning or rezoning requesting an early determination and expedited review with the director of the Neighborhood Planning and Zoning Department on a form provided by the director; or
 - (2) if the property is the subject of a pending zoning or rezoning case, amend the zoning application to include a request for an early determination.
- (E) The applicant shall seek a recommendation for an early opt-in/opt out determination from the appropriate neighborhood group identified in Chapter 25-2, Subchapter E, Section 4.3.5.B.1 (*Initiation*).
- (F) A request made when a zoning or rezoning case is pending before the council shall be sent to the planning commission for a recommendation.
- (G) A public hearing before the planning commission shall be scheduled for the first available planning commission agenda after a request is received, but not less than 30 days after the notice of hearing is issued. A notice issued for a

1 hearing on a request made under this part shall include the dates for both
2 planning commission and council consideration.

- 3 (H) An early determination is not available after completion of the opt-in/opt-out
4 process described in Chapter 25-2, Subchapter E, Section 4.3.5 (*Individual*
5 *Neighborhood Consideration of VMU Requirements ("Opt-in/Opt-out*
6 *Process*)).

7 **PART 4.** This ordinance takes effect on _____, 2007.

8 **PASSED AND APPROVED**

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12 _____, 2007

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Will Wynn
Mayor

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17 **APPROVED:** _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk